

## **IC 13-20**

### **ARTICLE 20. SOLID WASTE MANAGEMENT**

#### **IC 13-20-1**

Chapter 1. Demonstration of Need for Solid Waste Management Facilities

##### **IC 13-20-1-1**

###### **Exempt entities**

Sec. 1. This chapter does not apply to an individual, a corporation, a partnership, a limited liability company, or a business association that in its regular business activity:

- (1) produces solid waste as a byproduct of or incidental to its regular business activity; and
- (2) disposes of the solid waste at a site that is:
  - (A) owned by the individual, corporation, partnership, limited liability company, or business association; and
  - (B) limited to use by that individual, corporation, partnership, limited liability company, or business association for the disposal of solid waste produced by:
    - (i) that individual, corporation, partnership, limited liability company, or business association; or
    - (ii) a subsidiary of an entity referred to in item (i).

*As added by P.L.1-1996, SEC.10. Amended by P.L.138-2000, SEC.6; P.L.1-2001, SEC.19; P.L.218-2001, SEC.7; P.L.154-2005, SEC.10.*

##### **IC 13-20-1-2**

###### **Need for local or regional facility**

Sec. 2. A person that applies for a permit for a solid waste disposal facility or a solid waste processing facility, except for a transfer station, must demonstrate that there is a local or regional need in Indiana for the facility.

*As added by P.L.1-1996, SEC.10. Amended by P.L.154-2005, SEC.11.*

##### **IC 13-20-1-3**

###### **Demonstration statement**

Sec. 3. A person that applies for a permit referred to in section 2 of this chapter must submit the following information to the department along with the permit application:

- (1) A description of the area that would be served by the solid waste disposal or processing facility.
- (2) A description of existing solid waste management facilities in the area that would be served by the solid waste disposal facility.
- (3) A description of the need that would be fulfilled by constructing the solid waste disposal facility.

*As added by P.L.1-1996, SEC.10. Amended by P.L.154-2005, SEC.12.*

**IC 13-20-1-4****Denial of permit**

Sec. 4. If the department determines that there is not a local or regional need in Indiana for the solid waste disposal facility, the person referred to in section 2 of this chapter may not receive a permit described under IC 13-15-1-3 of this chapter. If a permit is denied under this section, the department must provide the person referred to in section 2 of this chapter with a statement describing the reasons the department denied the permit.

*As added by P.L.1-1996, SEC.10. Amended by P.L.154-2005, SEC.13.*

**IC 13-20-1-5****Rules**

Sec. 5. The solid waste management board shall adopt rules under IC 4-22-2 to implement this chapter.

*As added by P.L.1-1996, SEC.10.*